

**CHAPTER 37 BARBER SHOPS AND BARBERING**

Secs.	
3700	General Provisions
3701	Enforcement and Penalties
3702	Licenses
3703	Inspections
3704	Plans and Inspections
3705	[Reserved]
3706	Equipment and Facilities
3707	Duties of Manager
3708	Service by Appointment
3709	Price Signs
3710	Sanitation
3711	Health and Hygiene
3712	Sanitization of Barber Tools
3713	Disposable Articles and Linens
3714	Infected Patrons
3715	[Reserved]
3716	Mobile Barber Shops
3799	Definitions

**3700 GENERAL PROVISIONS**

- 3700.1 The provisions of this chapter shall apply to every building or part of a building, or a vehicle and depot, occupied or used as a barber shop, and to a barber shop in any building or part of a building licensed or operated for any other purpose, notwithstanding that other regulations may be applicable to other parts of the building.
- 3700.2 Each section and every part of each section of this chapter shall be independent of every other section or part, and the finding or holding of any section or part to be void or ineffective for any cause shall not be deemed to affect any other section or part.
- 3700.3 A printed copy of any of these regulations and any other information which the Director determines to be in the public interest shall be kept posted in a conspicuous place in each barber shop for the information and guidance of patrons and persons employed in the shop.
- 3700.4 Printed copies of information as provided in §3700.1 shall be furnished by the Department.

**AUTHORITY:** Unless otherwise noted, the authority for this chapter is §3 of the District of Columbia Barber Act, approved June 7, 1938 (52 Stat. 621), D.C. Code §2-1114(a)(6) and §402 of Reorganization Plan No. 3 of 1967, D.C. Code 1981, Vol. 1 at 137.

**SOURCE:** §§8-4:101 and 8-4:103(d) of the Health Regulations, as enacted and reformatting by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3701 ENFORCEMENT AND PENALTIES**

- 3701.1 The Director shall inspect each licensed barber shop or any premises for which a barber shop license application has been filed with the District.
- 3701.2 Prior to the issuance of a barber shop license, and at any time during the life of the license, the applicant for the license shall grant the Director the right to enter and inspect the premises for which the application for a license is made.
- 3701.3 Violation of any of the provisions of this chapter, or the failure to comply with any of the requirements of this chapter, shall be cause for the institution of proceedings, as provided in the License Act (D.C. Code §2-401 (1981)).
- 3701.4 Any person violating the provisions of §3709 of this chapter shall be punished by the following fines for the following offenses:
- (a) A fine of not more than fifty dollars (\$50) for the first offense;
  - (b) A fine of not more than one hundred dollars (\$100) for the second offense; and
  - (c) A fine of not more than two hundred dollars (\$200) for the third and subsequent offenses.
- 3701.5 Each and every day that a violation of §3709 of this chapter exists shall constitute a separate offense, and the penalties prescribed in this section shall be applicable to each separate offense.

**SOURCE:** §§8-4:103(e), 8-4:131, and 8-4:132 of the Health Regulations, as enacted and reformatting by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3702 LICENSES**

- 3702.1 No barber shop shall be opened for business, nor shall any license be issued to operate or conduct a barber shop, until the Director certifies that the requirements of this section have been observed.
- 3702.2 No license to operate or conduct a barber shop shall be issued to any person, firm, or corporation unless the applicant for the license appoints or employs and maintains a manager for the barber shop, and notifies the Director of Consumer and Regulatory Affairs of the appointment or employment.
- 3702.3 In addition to meeting the requirements of §3702.2, each barber shop license applicant who or which is a nonresident of the District shall appoint or employ and maintain in the District an attorney-in-fact or a general agent who is a resident of the District, and the license applicant shall notify the Director of Consumer and Regulatory Affairs of the appointment or employment.



- 3702.4 After the issuance of a barber shop license to an applicant, the licensee shall notify the Director of Consumer and Regulatory Affairs within five (5) business days of any change in the appointment or employment of the manager, attorney-in-fact, or general agent appointed or employed by the licensee pursuant to the requirements of this section.
- 3702.5 In all cases of a nonresident licensee, the attorney-in-fact, general agent, or manager shall be subject to all penalties and provisions of this chapter, whether the violation is committed by the licensee or by the attorney-in-fact, general agent, or manager.
- 3702.6 Notice of any action to be taken with respect to the revocation of a license issued a licensee may be served upon the attorney-in-fact, general agent, or manager appointed or employed by the nonresident licensee.
- 3702.7 Upon certification to the Director of Consumer and Regulatory Affairs by any officer of the District required to serve notices in connection with the operation of a barber shop, that a nonresident licensee, or the attorney-in-fact, general agent, or manager of a nonresident licensee, cannot be found after reasonable search, proceedings against the licensee may be instituted by one of the following methods:
- (a) By serving notice by registered mail upon either the licensee; or
  - (b) By serving notice by registered mail upon any person who has been designated by the licensee as his or her attorney-in-fact, general agent, or manager, and whose designation has not been rescinded by the licensee in a written notice of rescission sent to the Director of Consumer and Regulatory Affairs.
- 3702.8 The licensee shall have each valid license framed under glass, and shall post or cause the license to be posted in a conspicuous place in the barber shop for which the license is issued.
- 3702.9 Each registered barber shall report to the Board any change of the barber's residential or business address, within five (5) days after the change.

**SOURCE:** §§8-4:103(a), 8-4:103(b), 8-4:103(c), and 8-4:103(j) of the Health Regulations, as enacted and reformed by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### 3703 INSPECTIONS

- 3703.1 The Director shall periodically inspect all barber shops and require any improvements, repairs, or other action as may be necessary to bring the condition and operation of the premises into conformity with the laws and regulations relating to public health and the practice of barbering.
- 3703.2 The Board shall periodically inspect all barber shops for the purpose of determining whether there is compliance with the Act of Congress approved June 7, 1938, as amended, and §3 of the Act approved July 30, 1951 (both appearing in Title 2, chapter 4, D.C. Code), and with regulations adopted by the Mayor pursuant to the authority contained in the Act.

**SOURCE:** §8-4:103(f) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3704 PLANS AND INSPECTIONS**

- 3704.1 Plans and specifications for any barber shop established, moved to a new location, or remodeled shall be submitted to the Director before the shop may be opened for business.
- 3704.2 The plans required in §3704.1 shall show all details as to entrances, partitions, windows, openings, ventilation, vestibules, toilets, water supply, waste connections, sanitary equipment, and any other details that may be required by the Director.
- 3704.3 Whenever any existing building is altered to conform to any of the requirements of this chapter, required permits shall be obtained from the Department of Consumer and Regulatory Affairs. The alterations shall conform to the requirements of the applicable codes and regulations.

**SOURCE:** §§8-4:103(g) and 8-4:103(h) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3705 [RESERVED]**

### **3706 EQUIPMENT AND FACILITIES**

- 3706.1 It shall be unlawful to store or maintain in any portion of any barber shop a bed, bedding, installed cooking facilities, or a refrigerator for the storage of food or food products.
- 3706.2 Unless the Director certifies in writing that a business other than the conduct of a barber shop may be conducted in the same room with a barber shop without creating a public health hazard, each barber shop shall be completely separated by a floor-to-ceiling wall or partition unpierced by any door or window from any room in which any other business is conducted and from any place designed or intended for human habitation.
- 3706.3 The wall or partition required in §3706.2 shall be constructed in accordance with the requirements of the D.C. Building Code.
- 3706.4 A barber shop may have a door or window opening directly on a public corridor, hallway, passageway, or lobby, or to the outside of the building.
- 3706.5 Except as otherwise provided in §3706.2, access to any other business or to any place designed or intended for human habitation shall not be through a barber shop, but



shall be by means of a separate entrance; nor shall there be access to any barber shop except directly from the outside of the building or through space intended and available for use by the public.

3706.6 Each barber shop shall have the following equipment:

- (a) For customer service, a minimum of one (1) lavatory with hot and cold running water;
- (b) An additional lavatory with hot and cold running water for each two chairs beyond the first; Provided, that each lavatory shall not be located more than twenty feet (20') from any barber chair which it is intended to serve and shall be located within the same room;
- (c) At least one (1) service sink not less than sixteen inches (16") wide, sixteen inches (16") long, and ten inches (10") deep, with hot and cold running water, for custodial purposes and not for customer service; Provided, that where a part of any premises is used for custodial purposes, it shall be sufficient if the plumbing fixtures are provided within the building if it can be reached by a line of travel not exceeding one hundred feet (100') and without going outside of the building;
- (d) Automatic lathering device or devices;
- (e) Closed storage cabinet or cabinets for supplies, clean linens, and other material used in the practice of barbering;
- (f) Suitable storage space for custodial equipment and supplies;
- (g) Covered metal containers for all waste materials;
- (h) Supplies of disinfectant and fungicide approved by the Director;
- (i) Clean laundered towels, hair, and breast cloths;
- (j) Neck strips and suitable dispensers; and
- (k) Clean head rest covers and suitable dispensers.

3706.7 Minimum equipment for each barber chair shall be as follows:

- (a) Barber chair with head rest having a changeable cover;
- (b) One (1) or more covered containers for disinfecting and fungicidal solution;
- (c) One (1) closed cabinet for tools and clean linen;
- (d) One (1) closed container for soiled linen; and
- (e) One (1) closed container for used papers.

**SOURCE:** §§8-4:104(b), 8-4:104(c), 8-4:104(d), and 8-4:104(e) of the Health Regulations, as enacted and reformatting by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

**3707 DUTIES OF MANAGERS**

3707.1 The manager of each barber shop shall do the following:

- (a) Register as manager of the particular barber shop with the Board;
- (b) Register the closing day with the Department on forms provided for that purpose;\*
- (c) Make certain that all barbers employed in the shop of which he or she is manager have certificates to practice barbering; and
- (d) Be responsible for the observance of the requirements of this section.

3707.2 Each individual barber shall be responsible for the observance of the requirements of this section insofar as they refer to the barber's conduct and the care of his or her tools.

3707.3 The owner or owners of each barber shop shall be jointly and separately responsible with the manager of the shop for the provision and posting of each sign required by §3709 of this chapter.

3707.4 No owner or manager of a barber shop shall discriminate against any patron by reason of the patron's race or color, or cause or allow any barber working in the barber shop to discriminate against any patron by reason of the patron's race or color.

3707.5 It shall be the duty of each barber shop to require each barber working in the shop to do the following:

- (a) Familiarize himself or herself with the techniques for cutting all types of human hair, regardless of the race of the individual to be served; and
- (b) Possess or have access to any instruments and other equipment as may be necessary to cut all types of human hair in a satisfactory, workmanlike manner.

3707.6 Refusal by a barber to serve a patron based upon the barber's claimed inability to cut any and all types of human hair shall constitute a violation of this section.

3707.7 Refusal by a barber to serve a patron based upon the barber's claimed inability to cut any and all types of human hair shall constitute grounds for the suspension or revocation of the license of the barber shop.

**SOURCE:** §§8-4:104(a), 8-4:104(f), and 8-4:104(g) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

**\*EDITOR'S NOTE:** Section 2 of the District of Columbia Beauty Shop and Barber Shop Facilities Operation Extension Act of 1980, D.C. Law 3-137, D.C. Code §2-414 (1988), repealed the provision of law which had made it unlawful to remain open seven days a week.



**3708 SERVICE BY APPOINTMENT**

- 3708.1 When any barber in a barber shop engages in, or holds himself out as engaging in, the practice of serving any patron of the shop by appointment, the owner or manager of the shop shall post and maintain on the entrance door to the barber shop, visible from public space, a sign stating that patrons may be served by appointment.
- 3708.2 In addition to posting or causing to be posted the sign required in §3708.1, the owner or manager shall post in a conspicuous place in each barber shop, for the information and guidance of patrons, one (1) or more signs stating that patrons may be served by appointment.
- 3708.3 In each barber shop serving or purporting to serve patrons by appointment, the barber shop owner or manager shall provide and maintain an appointment book for the barber shop as an entity; or, where the individual barbers are caused or allowed to make their own appointments, the barber shop owner or manager shall require that an appointment book be maintained by each barber who renders barber service by appointment.
- 3708.4 All appointments shall be made in advance of the time reserved for the patron for whom the appointment is made, and the name of the patron shall be entered in the book, together with the date and time of the appointment.
- 3708.5 It shall be a violation of this section for the owner or manager of any barber shop to cause or allow to be entered in any appointment book an appointment that has the effect of reserving for the patron for whom it is made a period of time commencing immediately or shortly after the patron has entered the barber shop, to the exclusion of one (1) or more other persons waiting to be served.

**SOURCE:** §§8-4:104(h) and 8-4:104(i) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

**3709 PRICE SIGNS**

- 3709.1 The owner or manager of each barber shop shall post and maintain in the shop the number of signs as may be required by §3709.6 of this section, which state the price or range of prices for each category of services rendered in the shop to the public, and which list at least the following categories of services, if the services are offered by the shop:
- (a) Haircuts;
  - (b) Shaves;
  - (c) Plain shampoos, oil shampoos, and medicated shampoos;
  - (d) Massages;
  - (e) Shoeshines; and

(f) Manicures.

- 3709.2 Each price sign shall measure not less than twelve inches (12") in width and not less than twelve inches (12") in height.
- 3709.3 Each price sign shall be posted in a location that will be visible to the customers patronizing the shop.
- 3709.4 Each price sign shall be kept clearly visible at all times and shall be posted not lower than four feet (4'), nor higher than nine feet (9') above the floor of the shop.
- 3709.5 The lettering and numerals on each sign shall meet the following requirements:
- (a) Be boldfaced;
  - (b) Be not less than five-eighths of an inch (5/11") high; and
  - (c) Be of a color that will contrast with the background of the sign.
- 3709.6 The owner or manager of each barber shop shall post or cause to be posted in the shop one (1) or more of the signs required by §§3709.1 through 3709.5 of this section in the following manner:
- (a) Centrally located within the area occupied by the barber chairs;
  - (b) Clearly legible from each barber chair; and
  - (c) At a distance of not more than twenty feet (20') from the center of any barber chair in the shop.
- 3709.7 Except as provided in §3709.11, no owner or manager of any barber shop in the District shall charge or receive, or allow to be charged or received, a price or payment for any barbering service (including shoeshines and manicures) unless the price to be paid for the service is shown on the price sign or signs required by this section.
- 3709.8 When any customer requests and receives a barbering service not specifically listed on the price sign or signs, the customer shall be advised in advance of receiving the service of the price to be charged for the service.
- 3709.9 Nothing in this section shall prohibit the owner or manager of any barber shop from displaying a sign or signs in addition to those signs required in §3709.6; Provided, that the price or prices shown on the additional signs shall correspond with the price or prices for the same service or services shown on the signs required by §§3709.1 through 3709.5 of this section.

**SOURCE:** §§8-4:111(a), 8-4:111(b), 8-4:111(c), and 8-4:111(d) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).



**3710 SANITATION**

- 3710.1 The windows, floors, walls, and ceiling of each barber shop, together with all the appurtenances in the barber shop, and all tools, appliances, and other equipment used in connection with the barber shop, shall be kept at all times in a clean and sanitary condition.
- 3710.2 The barber shop shall be free of rodents and vermin.
- 3710.3 All rooms used for the purpose of barbering shall be provided with artificial illumination reasonably and uniformly distributed so as to give an illumination of an intensity of thirty (30) foot-candles at the working surfaces at each barber chair. The illumination in each barber shop shall be reasonably free from glare.
- 3710.4 All rooms used for the purpose of barbering shall be provided with window area that may be opened for ventilation purposes which shall be at least five percent (5%) of the floor area.
- 3710.5 A mechanical or positive ventilation system may be substituted for or supplement natural ventilation that uses openable windows.
- 3710.6 When mechanical ventilation systems are used, rooms shall be provided with facilities for at least five (5) air changes per hour.
- 3710.7 To provide adequate working space, the barber chairs in every new or remodeled barber shop (opened or remodeled since September 24, 1946) shall be spaced not less than five feet (5') from center to center.
- 3710.8 Each barber shop shall have at least one (1) water closet facility. The facility shall be deemed adequate if it meets the following conditions:
- (a) It is located within the same building as the barber shop;
  - (b) It is accessible without going outside of the building in which the barber shop is located or through a space exclusively controlled by another;
  - (c) It may be reached by a line of travel not exceeding one hundred feet (100'); and
  - (d) The use of the water closet is not shared with any dwelling unit.
- 3710.9 Floors and walls of toilet rooms and water closet compartments shall be of nonabsorbent material.
- 3710.10 All toilet room and water closet compartment doors shall be self-closing.
- 3710.11 Toilet rooms and water closet compartments shall be kept in a clean and sanitary condition.
- 3710.12 Signs requiring personnel to wash their hands immediately after each use of the water closet shall be posted in each toilet room and water closet compartment.

**SOURCE:** §§8-4:105(a), 8-4:105(b), 8-4:105(c), 8-4:105(d), and 8-4:105(f) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

## **3711 HEALTH AND HYGIENE**

- 3711.1 Every attendant or employee in a barber shop shall cleanse his or her hands thoroughly with soap and running water immediately before serving each patron.
- 3711.2 All employees performing work upon the public shall at all times be attired in clean clothing.
- 3711.3 No person shall engage in the practice of barbering when suffering from any disease in a communicable form.
- 3711.4 All towels, barber tools, and other implements or materials used in the service of a patron shall be removed from the workstand and from the washbasin immediately after the service of each patron, and shall be placed in their proper containers.
- 3711.5 Hair cloths, breast cloths, or towels shall not be left on chairs or workstands.
- 3711.6 Towels and other linens shall not be laundered in that portion of the premises termed a barber shop.
- 3711.7 The common use of brushes, including shaving brushes and excluding styling brushes, neck dusters, and shaving mugs, is prohibited.
- 3711.8 Any material used to stop the flow of blood shall be used only in the form of a powder or liquid, and shall be applied with a clean towel or sterile absorbent cotton.
- 3711.9 The making of shaving lather in a washbasin or lavatory for use in serving a patron is prohibited.
- 3711.10 The use of powder puffs, sponges, lump alum, styptic pencils, or similar materials is prohibited.
- 3711.11 The use of brushes for shampooing is prohibited.

**SOURCE:** §§8-4:106(a), 8-4:106(b), 8-4:106(c), 8-4:109(a) through 8-4:109(g) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

## **3712 SANITIZATION OF BARBER TOOLS**

- 3712.1 Each barber shop shall be provided with and shall use proper facilities for the disinfection and fungicidal treatment of all instruments and implements employed in the practice of barbering.
- 3712.2 Containers for disinfecting and fungicidal solutions shall be provided with covers and shall be of a size that will accommodate all instruments and implements to be disinfected or treated against mycotic organisms.



- 3712.3 A sufficient amount of disinfectant solution shall be provided in the containers at all times for the proper disinfection of all instruments and implements.
- 3712.4 Specimens may be taken from time to time by the Director to determine whether the instruments and implements used in a barber shop are free of pathogenic organisms and fungi, and whether the disinfecting and fungicidal materials are suitable for their purposes.
- 3712.5 All razors, scissors, combs, tweezers, blackhead removers, and other tools used in the practice of barbering, except clippers, shall be thoroughly washed with soap and water to remove all film and debris, and shall be effectively disinfected immediately after use on each patron and before being used for the service of any other patron.
- 3712.6 The clipper blades shall be effectively treated to remove all pathogenic organisms and fungi by an approved bactericidal and fungicidal process, or by one (1) of the following methods after use on each patron and before being used for the service of any other patron:
- (a) The upper and lower blades of the clipper shall be immersed in a hot oil bath ninety degrees Centigrade (90° C.) to one hundred degrees Centigrade (100° C.) for a minimum of two (2) minutes. Oil of a proper viscosity which has a boiling point of one hundred fifty degrees Centigrade (150° C.) to two hundred fifty degrees Centigrade (250° C.) and a flash point in excess of one hundred ten degrees Centigrade (110° C.) shall be used. Oil shall be heated by means of an electrical device that is thermostatically controlled to maintain temperature at between ninety degrees Centigrade (90° C.) and one hundred degrees (100° C.), the heating element of which shall be enclosed and insulated from the frame of the appliance, and shall not be in contact with the liquid. In other respects, appliances shall conform to the provisions of the Underwriters Laboratories Standard for Electric Heating Appliances. The clipper blades shall be agitated two (2) or three (3) times for a period of five (5) to ten (10) seconds each during the time that they are not in the hot oil bath. The oil containers shall be thoroughly cleaned at the close of each day, and the containers shall be filled with new unused oil.
  - (b) Clipper blades may be immersed in ten percent (10%) saponated cresol solution for fifteen (15) minutes, or in boiling ten percent (10%) solution saponated cresol for three (3) minutes, or in three and eight tenths percent (3.8%) solution of formaldehyde for fifteen (15) minutes in lieu of sterilization with hot oil. In any instance, the clipper blades shall be agitated two (2) or three (3) times for a period of five (5) to ten (10) seconds each while in the solution. The solution shall be renewed as often as necessary to retain its strength. The containers shall be thoroughly cleaned at the close of each day and refilled with new unused solution.
- 3712.7 Clippers shall be kept clean at all times and hair and debris shall be removed from the body and blades of the clipper by manually wiping the clipper with a clean dry cloth, clean disposable tissue, or a clean brush used for this purpose only, after the service of each patron.
- 3712.8 Razor strops shall be kept clean at all times.

**SOURCE:** §§8-4:107(a), 8-4:107(b), and 8-4:107(c) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3713 DISPOSABLE ARTICLES AND LINENS**

3713.1 No barber or employee in any barber shop shall use for the service of any patron any head rest cover, neck strip, towel, or washcloth that has been used for any other patron, unless the head rest cover, neck strip, towel, or washcloth has been laundered since last used.

3713.2 When a hair cloth is used in serving a patron, a neck strip, a freshly laundered towel, or other suitable protection shall be placed between the hair cloth and the neck of the patron. Soiled or unclean hair cloths shall not be used.

3713.3 Cotton pads, absorbent cotton, and other single-service or disposable toilet articles shall not be used on more than one (1) patron, and shall be placed in a proper waste receptacle immediately after use.

**SOURCE:** §§8-4:108(a), 8-4:108(b), and 8-4:108(c) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3714 INFECTED PATRONS**

3714.1 No barber shall serve any patron when the skin of the patron's face, neck, or scalp is inflamed, contains pus, or is erupted, unless the patron provides the necessary implements for his or her individual use and submits a certificate from a duly licensed physician or the Director that the inflammation or eruption is not communicable.

3714.2 No barber shall serve any person infected with *pediculus capitis* (head lice).

**SOURCE:** §§8-4:110(a), and 8-4:110(b) of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

### **3715 [RESERVED]**

### **3716 MOBILE BARBER SHOPS**

3716.1 The provisions of this section shall govern the licensing of mobile barber shops.

3716.2 No person shall engage in the business of operating a mobile barber shop either on public space or on private space without first obtaining a license to do so from the Department of Consumer and Regulatory Affairs.



- 3716.3 As used in this section, the term "mobile barber shop" shall mean a vehicle with motive power, or one without motive power but designed so that it may be moved from place to place, equipped and utilized to carry on the practice of barbering, as the term "barbering" is defined in §2 of the Act approved June 7, 1938 (52 Stat 620; D.C. Code §2-402 (1981)).
- 3716.4 The annual license fee for each mobile barber shop operated on either public space or private space shall be ten dollars (\$10).
- 3716.5 No license for the operation of a mobile barber shop shall be issued until the Director has certified in writing to the Director of the Department of Consumer and Regulatory Affairs that the applicant for the license has complied with all applicable provisions of the health regulations governing barber shops and barbering.
- 3716.6 Each vehicle operated as a mobile barber shop shall be based at a depot located in the District, and the person to whom a license for the operation of the mobile barber shop has been issued shall be present or shall cause the operator of the shop to be present at the depot with the vehicle each day it is operated, for the purpose of servicing it and making it available for inspection.
- 3716.7 The licensee shall register with the Director a period of time which shall be not less than thirty (30) minutes nor more than one (1) hour on each working day, when the vehicle will be at the depot, during which period both the vehicle and the depot shall be available for inspection.
- 3716.8 Each vehicle shall be supplied, equipped, and maintained in the manner prescribed in this chapter for a barber shop in a fixed location, except that the service sink required by §3706 may be located in the depot, rather than in the vehicle.
- 3716.9 In addition to other equipment required in this chapter for a barber shop in a fixed location, the mobile barber shop shall also contain at least the following:
- (a) Suitable storage space for custodial equipment and supplies;
  - (b) A covered container for waste materials;
  - (c) A closed container for soiled materials; and
  - (d) A closed container for tools and clean linen.
- 3716.10 All the functions and the equipment of a barber shop that are carried out or maintained in the vehicle and in the depot together shall be carried out and maintained in the same manner as if they were carried out and maintained in a barber shop in one (1) fixed location.

**SOURCE:** §§8-4:120(a), 8-4:120(b), 8-4:120(c), and 8-4:120(d) of the Health Regulations, as enacted and reformatting by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

**3799 DEFINITIONS**

3799.1 When used in this chapter, each of the following terms shall have the meanings ascribed:

**Approved bactericidal and fungicidal process** - the application of any method or substance for the destruction of pathogens and fungi, and of other organisms as far as practicable, which does not adversely affect the equipment or health of persons coming into personal contact with the method or substance, and which is approved by the Director.

**Approved by the Director** - accepted by the Director of the D.C. Department of Human Services after demonstration by the proponent of any method, process, means, or thing that the method, process, means, or thing can, or is likely to, perform in the manner indicated or required, and so that the public health purpose will be achieved on a continuing basis. Demonstration by a proponent may include, but need not be limited to, findings of recognized investigators, approvals or acceptances by nationally recognized testing laboratories, reports of compliance with nationally accepted public health standards, or reports of investigations by universities or governmental agencies, and shall have sufficient detail and magnitude that the Director may assure himself or herself that the public health purpose can and will be achieved under normal operating conditions on a continuing basis.

**Barber** - any person who engages in the practice of barbering.

**Barbering** - any one (1) of any combination of the following practices when done upon the head and neck for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment either directly or indirectly or without payment for the public generally constitutes the practice of barbering within the meaning of this chapter. Barbering includes shaving, trimming the beard, and cutting and boding the hair of any person of either sex for compensation or other reward, received by the person performing the service or any other person, as well as giving facial and scalp massages or treatments with oils, creams, lotions, or other preparations either by hand or mechanical appliances; singeing, shampooing, or applying tonics to the hair; or applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to the scalp, face, or neck.

**Barber instructor** - the teaching of the barber profession as provided for in this chapter.

**Barber shop** - any vehicle and depot, building, or portion of a building within the District in which any person is engaged in the practice of barbering. This term includes all portions of the premises under the control of the owner or manager of a barber shop, which portions are used in part or in whole for the conduct of the business and, for the purpose of this chapter, shall include any barber school or barber college.

**Board** - the Board of Barber Examiners for the District of Columbia.

**Certificate** - a certificate of registration issued by the Board.

**Depot** - any building or portion of a building used in conjunction with a vehicle to constitute a barber shop in order to provide the necessary normal functions, services, and maintenance of a barber shop.

**Director** - the Director of the D.C. Department of Human Services, or the Director's duly authorized agent.



**District** - the District of Columbia.

**Manager** - a registered barber having control of a barber shop and of the persons working or employed in the barber shop.

**Mayor** - the Mayor of the District of Columbia or the Mayor's designated representative.

**SOURCE:** §8-4:102 of the Health Regulations, as enacted and reformatted by an amendment to the Regulations Concerning Barber Shops and the Practice of Barbering, Commissioners Order 61-412, issued March 9, 1961, 7 DCR 176 (March 20, 1961), as further amended by Commissioners Order 64-1880, issued December 15, 1964, 11 DCR 164 (January 18, 1965), 8 DCRR §§4:101 and 4:103(d).

